

**Introduced by Senator Florez**

February 21, 2003

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An act to amend Section 2893 of the Public Utilities Code, relating to telecommunications.

LEGISLATIVE COUNSEL'S DIGEST

SB 830, as introduced, Florez. Telecommunications: caller identification.

Existing law authorizes the Public Utilities Commission to supervise and regulate every public utility, including telephone corporations, in the state and to do all things necessary and convenient in the exercise of its power and jurisdiction. Existing law directs the commission to require any call identification service offered by a telephone corporation, or by any other person or corporation that makes use of the facilities of a telephone corporation, to allow the caller, at no charge, to withhold, on an individual basis, the display of the caller's telephone number from the telephone instrument of the individual receiving the call (ID blocking). Existing law excepts from the ID blocking requirement, any identification service provided in connection with an "800" or "900" access code telephone service, until the telephone corporation develops the technical capability to provide ID blocking, as determined by the commission.

This bill would require that every telephone call identification service offered in this state by a telephone corporation, or by any other person or corporation that makes use of the facilities of a telephone corporation, to offer that service without charge to any elementary or secondary public school.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Section 2893 of the Public Utilities Code is amended to read:

2893. (a) The commission shall, by rule or order, require that every telephone call identification service offered in this state by a telephone corporation, or by any other person or corporation that makes use of the facilities of a telephone corporation, shall allow a caller to withhold display of the caller's telephone number, on an individual basis, from the telephone instrument of the individual receiving the telephone call placed by the caller. However a caller shall not be allowed to withhold the display of the caller's business telephone number when that number is being used for telemarketing purposes.

(b) There shall be no charge to the caller who requests that his or her telephone number be withheld from the recipient of any call placed by the caller.

(c) The commission shall direct every telephone corporation to notify its subscribers that their calls may be identified to a called party either:

(1) Thirty or more days before the telephone corporation commences to participate in the offering of a call identification service.

(2) By March 1, 1990, if the telephone corporation is participating in a call identification service prior to January 1, 1990.

(d) This section does not apply to any of the following:

(1) An identification service which is used within the same limited system, including, but not limited to, a Centrex or private branch exchange (PBX) system, as the recipient telephone.

(2) An identification service which is used on a public agency's emergency telephone line or on the line which receives the primary emergency telephone number (911).

(3) Any identification service provided in connection with legally sanctioned call tracing or tapping procedures.

(4) Any identification service provided in connection with any "800" or "900" access code telephone service until the telephone corporation develops the technical capability to comply with subdivision (a), as determined by the commission.

1 (e) Until the market for local telephone service is competitive,  
2 a telephone corporation shall not charge any subscriber for having  
3 an unlisted or unpublished telephone number. However, nothing  
4 in this subdivision shall be interpreted by the commission to  
5 reduce the revenues of telephone corporations. Any actions of the  
6 commission pursuant to this subdivision shall be implemented on  
7 a competitively neutral basis. This charge shall not be eliminated  
8 prior to the effective date upon which offsetting rates are  
9 implemented by the commission.

10 (f) *Every telephone call identification service offered in this*  
11 *state by a telephone corporation, or by any other person or*  
12 *corporation that makes use of the facilities of a telephone*  
13 *corporation, shall offer that service without charge to any*  
14 *elementary or secondary public school.*

